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August 16, 2024

**VIA ECF**

Honorable Jacqueline Scott Corley  
U.S. District Court  
Northern District of California  
450 Golden Gate Avenue  
San Francisco, CA 94102

**Re: Ameer Loggins v. Stanford, et al., 3:24-cv-02027**

Dear Judge Corley,

I write pursuant to your order granting leave to submit case law on the issue of whether an amendment to Mr. Loggins complaint regarding his defamation claims would be futile. As I argued in the motion to dismiss, under D.C Law, defamatory statements that are made to Congress are actionable when those statements are republished by Congress in its Congressional record. Directly on point is *Webster v. Sun Co., Inc.* 235 U.S. App. D.C. 154, 158 n. 9 (1984). There the court held that the absolute privilege for statements made to the legislature or its investigative arm does not extend to republication of those statements by the legislature. As the Court stated: “This privilege insulates **statements made** only to the legislature or its investigative arm. Publication to individuals not associated with the legislature and republication by the legislator are not covered by this privilege.”

Since Plaintiff has alleged that Defendant Feigelis written statement to Congress was subsequently republished in the congressional record by the legislature, the absolute privilege for those republished statements would not be immune from suit. Leave to amend would therefore not be futile in this case.”

Sincerely,

/s/ Derek S. Sells  
Derek S. Sells, Esq.